



Application No.: 09/686,308
Our Docket No.: 0112300/144

On the date stamped hereon the U.S. Patent and Trademark Office hereby acknowledges receipt of the following:

1. A Copy of the Notice of Missing Parts of Non-Provisional Application;
2. A Declaration and Power of Attorney for Patent Application;
3. A Recordation Form Cover Sheet;
4. An Assignment;
5. A Certificate of First Class Mail;
6. A check in the amount of \$170.00; and
7. A postcard which we ask you to date stamp and return.



AHM



#11

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Andrea C. Hughes-Baird
Appl. No.: 09/686,308
Filed: October 11, 2000
Title: GAMING DEVICE HAVING INTERACTING SYMBOLS
Art Unit: 2876
Examiner: D. St. Cyr
Docket No.: 112300-144

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OFFICE OF PETITIONS

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Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

**REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT
UNDER 37 C.F.R. § 1.705(b)**

Sir:

This Request for Reconsideration is being filed in response to the Determination of Patent Term Adjustment which was mailed with the Notice of Allowance on August 13, 2003. Applicants have reviewed the PTA set forth (50 days) by the Patent Office and respectfully request that this determination be reconsidered for the reasons set forth below.

The Patent Office determined that a 51 day adjustment should be made based on the USPTO delay in mailing an Office Action or Notice of Allowance within fourteen months of the filing of the application. The first Office Action was mailed on January 31, 2002 which is 51 days past the 14 month date. Therefore, 51 days were added to the patent term. Applicants agree with this determination.

Additionally, the Patent Office determined that 56 days should be subtracted from the above adjustment due to delay by the applicant in responding to the Office Action mailed on January 31, 2002. The response to the Office Action was received in the PTO on June 25, 2002 which is 56 days past the 3 month date. Therefore, 56 days were subtracted from the patent term. Applicants agree with this determination.

Moreover, the Patent Office determined that a 96 day adjustment should be made based on the USPTO delay in mailing a second Office Action or Notice of Allowance within four months of Applicants' response to the first Office Action. The second Office Action was mailed

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on January 29, 2003 which is 96 days past the 4 month date. Therefore, 96 days were added to the patent term. Applicants agree with this determination.

Finally, the Patent Office determined that 41 days should be subtracted from the above adjustment due to delay by the applicant in responding to a Notice to File Missing Parts. Therefore, a total 50 day adjustment was indicated on the Determination of PTA. Applicant does not agree with this determination.

According to PTO records on the PAIR system, a Notice to File Missing Parts was mailed on November 30, 2000. Therefore, Applicant had until February 28, 2001 to respond without a loss of PTA. According to the PTO, a response was not received until April 10, 2001, which accounts for the 41 day difference. However, a Response to Notice to File Missing Parts was actually mailed on January 23, 2001 and received in the USPTO on January 25, 2001. Attached hereto at Tab 1 is a copy of the stamped postcard from the USPTO which verifies this date. Since this date is well before February 28, 2001, no loss of PTA should have occurred. Therefore, since the 41 day loss in PTA was due to an error in the records of the USPTO, Applicant respectfully requests that this time be added onto the PTA for a total adjustment of 91 days plus any time for subsequent PTO delays in the issuance of the patent.


This patent application is not subject to a Terminal Disclaimer. In addition, there were no circumstances constituting a failure to engage in reasonable efforts to conclude processing or examination of this application on the part of the Applicants.

This Request is accompanied by a check in the amount of \$200.00 to cover the fee set forth in § 1.18(e). To the extent that any additional fees are due and owing, the Commissioner is hereby authorized to charge them to our Deposit Account, 02-1818.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY



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TRANSMITTAL LETTER
(General - Patent Pending)

DAE\$
Docket No.
112300-144

In Re Application Of: Hughes-Baird et al.

Serial No.
09/686,308

Filing Date
October 11, 2000

Examiner
D. St. Cyr

Group Art Unit
2876

Title:

GAMING DEVICE HAVING INTERACTING SYMBOLS

RECEIVED

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OFFICE OF PETITIONS


TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Request for Reconsideration of Patent Term Adjustment Under 37 CFR 1.705(b) (2 pages and Tab 1); Check in the Amount of \$200.00; and Return Receipt Postcard.

in the above identified application.

- ☐ No additional fee is required.
- ☒ A check in the amount of \$200.00 is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 02-1818 as described below.
- ☐ Charge the amount of
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.


Signature

Dated: August 22, 2003

Adam H. Masia
Reg. No. 35,602
Bell, Boyd & Lloyd LLC
P.O. Box 1135
Chicago, IL 60690-1135

I certify that this document and fee is being deposited on August 22, 2003 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Signature of Person Mailing Correspondence

Robert Buccieri

Typed or Printed Name of Person Mailing Correspondence

cc: